

2001 DRAFTING REQUEST

Bill

Received: **09/08/2000**

Received By: **kenneda**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 267-7980**

By/Representing: **Mullikin**

This file may be shown to any legislator: **NO**

Drafter: **kenneda**

May Contact: **DHFS**

Alt. Drafters:

Subject: **Public Assistance - med. assist.
Mental Health - miscellaneous**

Extra Copies: **ISR**

Pre Topic:

DOA:.....Mullikin -

Topic:

Community services deficit reduction benefit

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	kenneda 09/18/2000	wjackson 09/18/2000	martykr 09/19/2000	_____	lrb docadmin 09/19/2000		S&L
/2	kenneda 01/10/2001	wjackson 01/11/2001	martykr 01/11/2001	_____	lrb docadmin 01/11/2001		S&L

FE Sent For:

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12 WJ 11/11 [Handwritten signatures]

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1?	kenneda	1 WLj 9/18	<i>[Signature]</i> 9/19	<i>[Signature]</i> 9/19			

FE Sent For:

<END>

Community Services Deficit Reduction Benefit

Current Language

Under s. 49.45 (6t), the Community Services Deficit Reduction Benefit (CSDRB) program permits public agencies to receive federal Medicaid funding for certain outpatient services when the agencies' costs exceed the State's Medicaid reimbursement for those services. The public agency must provide the non-federal share of these costs. Currently, the statutes state that the amount of federal funds that can be allocated to local agencies through the CSDRB program is limited to \$4.5 million annually.

Proposed Changes

- ✓ Remove any reference to a limit on allocated federal funds under s. 49.45 (6t).
- ✓ Add the following services to be eligible for federal reimbursement under the CSDRB program.
 - Community-based psychosocial services.
 - In-home and community mental health and alcohol and other drug abuse services.
 - Alcohol and other drug abuse residential treatment services.

Effect and Rationale for Change

The Community Services Deficit Reduction Benefit (CSDRB) program was created in the Wisconsin 1995-97 Biennial Budget Act, and directs the Department to allocate up to \$4.5 million in federal Medicaid funds each year for payment to counties. The CSDRB program allows public agencies to receive federal Medicaid funding for certain outpatient services when the agencies' costs exceed the State's Medicaid reimbursement for those services, provided the public agency is providing the non-federal share for the federal match.

In CY 1998, approximately 270 providers participated in the CSDRB program, representing 109 county agencies, with \$10.3 million dollars in federal funds allocated to these providers through the program. Payments for CY 1999 are projected to be approximately \$11.0 million. As a result, the Department is currently allocating more federal funds than stated in the statutes. The proposed change would correct the inconsistency between actual practice and the statutory language.

In 1995, three services were eligible for reimbursement with 34 agencies participating. Subsequent legislation expanded the benefit to include seven additional services. Currently, services eligible for CSDRB funding include: (a) crisis intervention; (b) outpatient mental health/AODA clinic; (c) AODA day treatment; (d) child/adolescent day treatment; (e) adult mental health day treatment; (f) community support programs; (g) case management; (h) personal care; (i) home health; and (j) prenatal care coordination.

Recent biennial budget acts authorized three new Medicaid community services: (1) In-home and community mental health and AODA services; (2) Community-based psychosocial services; and (3) AODA residential treatment services. These services are similar to other CSDRB services, but have not been authorized for reimbursement under CSDRB. This is inconsistent with the intent of the CSDRB program and prevents local agencies from accessing additional federal funds. Including these community services in CSDRB would allow counties an opportunity to capture additional federal resources for community services.

Desired Effective Date: Upon Passage
Agency: DHFS
Agency Contact: Richard T. Chao
Phone: 267-0356



SOON - In edit 9/18

State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-0194/1

DAK.../.....
Wlj

D-NOTE

DOA:.....Mullikin - Community services deficit reduction benefit

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

DON'T
GEN

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES ✓

MEDICAL ASSISTANCE ✓

Under current law, medical assistance (MA) is a program of medical services, for persons with low income and resources, that is jointly funded by federal medicaid moneys and state general purpose revenues. However, under agreements with DHFS, the following MA services are provided, and the state portion of the costs is funded, by local health departments and county departments of social services, human services, and community programs: home health; medical day treatment and mental health and alcohol and other drug abuse services; personal care; alcohol and other drug abuse day treatment; mental health and psychosocial rehabilitation provided by community support programs; case management; mental health crisis intervention; care coordination for women with high-risk pregnancies; and mental health day treatment for minors. DHFS must in each fiscal year allocate up to \$4,500,000 of federal medicaid moneys to those departments to reduce any operating deficits of those departments that are incurred in providing services for which the costs exceed the reimbursement.

This bill eliminates the specific dollar amount of federal medicaid moneys that DHFS must allocate to reduce operating deficits of counties, cities, towns, and villages that are incurred in providing and funding certain MA services, but retains the requirement that DHFS allocate the moneys for this purpose. The bill also

authorizes the following additional services to be provided by local health departments and county departments of social services, human services, and community programs on this basis: mental health services and alcohol and other drug abuse services to persons aged at least 21 in the person's home or in the community; psychosocial services, including case management services, provided by a community based psychosocial service program; and, before July 1, 2003, alcohol or other drug abuse residential treatment services of no more than 45 days per treatment episode.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 49.45 (6t) (intro.) of the statutes is amended to read:

2 49.45 (6t) COUNTY DEPARTMENT AND LOCAL HEALTH DEPARTMENT OPERATING
3 DEFICIT REDUCTION. (intro.) From the appropriation under s. 20.435 (4) (o), for
4 reduction of operating deficits, as defined under criteria developed by the
5 department, incurred by a county department under s. 46.215, 46.22, 46.23 or 51.42
6 or by a local health department, as defined in s. 250.01 (4), for services provided
7 under s. 49.46 (2) (a) 4. d. and (b) 6. f., fm, j., k. and L., and Lm., 9. and 15., and
8 18., for case management services under s. 49.46 (2) (b) 12. and for mental health day
9 treatment services for minors provided under the authorization under 42 USC 1396d
10 (r) (5), the department shall allocate up to \$4,500,000 moneys in each fiscal year to
11 these county departments, or local health departments as determined by the
12 department, and shall perform all of the following:

History: 1971 c. 40 s. 93; 1971 c. 42. 125; 1971 c. 213 s. 5; 1971 c. 215, 217, 307; 1973 c. 62, 90, 147; 1973 c. 333 ss. 106g, 106h, 106j, 201w; 1975 c. 39; 1975 c. 223 s. 28; 1975 c. 224 ss. 54h, 56 to 59m; 1975 c. 383 s. 4; 1975 c. 411; 1977 c. 29, 418; 1979 c. 34 ss. 837f to 838, 2102 (20) (a); 1979 c. 102, 177, 221, 355; 1981 c. 20 ss. 839 to 854, 2202 (20) (r); 1981 c. 93, 317; 1983 a. 27 ss. 1046 to 1062m, 2200 (42); 1983 a. 245, 447, 527; 1985 a. 29 ss. 1026m to 1031d, 3200 (23), (56), 3202 (27); 1985 a. 120, 176, 269; 1985 a. 332 ss. 91, 251 (5), 253; 1985 a. 340; 1987 a. 27 ss. 989r to 1000s, 2247, 3202 (24); 1987 a. 186, 307, 339, 399; 1987 a. 403 s. 256; 1987 a. 413; 1989 a. 6; 1989 a. 31 ss. 1402 to 1452g, 2909g, 2909i; 1989 a. 107, 173, 310, 336, 351, 359; 1991 a. 22, 39, 80, 250, 269, 315, 316; 1993 a. 16 ss. 1362g to 1403, 3883; 1993 a. 27, 107, 112, 183, 212, 246, 269, 335, 356, 437, 446, 469; 1995 a. 20; 1995 a. 27 ss. 2947 to 3002r, 7299, 9126 (19), 9130 (4), 9145 (1); 1995 a. 191, 216, 225, 289, 303, 398, 417, 457; 1997 a. 3, 13, 27, 114, 175, 191, 237, 252, 293; 1999 a. 9, 63, 103, 180, 185.

13 SECTION 2. 49.45 (6t) (intro.) of the statutes, as affected by 2001 Wisconsin Act

14 ... (this act), is repealed and recreated to read:

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 2 **DEFICIT REDUCTION.** (intro.) From the appropriation under s. 20.435 (4) (o),[↓] for
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 4 department, incurred by a county department under s. 46.215,[↓] 46.22,[↓] 46.23[↓] or 51.42[↓]
 5 or by a local health department, as defined in s. 250.01 (4),[↓] for services provided
 6 under s. 49.46 (2) (a) 4. d.[↓] and (b) 6. f., fm.,[↓] j.,[↓] k.,[↓] L.,[↓] and Lm.,[↓] 9.,[↓] and 15.,[↓] for case
 7 management services under s. 49.46 (2) (b) 12.[↓] and for mental health day treatment
 8 services for minors provided under the authorization under 42 USC 1396d (r) (5), the
 9 department shall allocate up to \$4,500,000 in each fiscal year to these county
 10 departments, or local health departments as determined by the department, and
 11 shall perform all of the following:

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12 **SECTION 3.** 49.45 (6t) (a)[↓] of the statutes is amended to read:

13 **49.45 (6t) (a)** For the reduction of operating deficits incurred by the county
 14 departments or local health departments, estimate the availability of federal
 15 medicaid funds that may be matched to county, city, town, or village funds that are
 16 expended for costs in excess of reimbursement for services provided under s. 49.46
 17 (2) (a) 4. d. and (b) 6. f., fm.,[↓] j.,[↓] k. and,[↓] L., and Lm.,[↓] 9. and,[↓] 15., and 18., for case
 18 management services under s. 49.46 (2) (b) 12. and for mental health day treatment
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20 **SECTION 4.** 49.45 (6t) (a) of the statutes, as affected by 2001 Wisconsin Act

21 (this act), is repealed and recreated to read:

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0194/1dn

DAK...../.....

wlj

To Melissa Mullikin and Richard Chao:

I have in this draft changed the effective date for the nonapplicability of ss. 49.45 (46) and 49.46 (2) (b) 18. I believe that the applicable provisions should have indicated that the language does not apply after June 30, 2003, rather than after July 1, 2003, so that the applicability would end with the fiscal year, and the language would not be carried over to the next fiscal year. Please let me know if you disagree.

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debora.kennedy@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
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LRB-0194/1dn
DAK:wlj:km

September 19, 2000

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Managing Attorney
Phone: (608) 266-0137
E-mail: debora.kennedy@legis.state.wi.us

Kennedy, Debora

-01-0194

From: Chao, Richard
Sent: Wednesday, January 10, 2001 5:13 PM
To: Kennedy, Debora
Cc: Mullikin, Melissa
Subject: stat lang change for CSDRB



01-01941_1.pdf

Hi Deb:

Sorry for the late notice, but on page 3, line 6 the reference to \$4.5 million needs to be deleted as it has been on page 2, line 10.

Thanks,
Rich

Richard T. Chao
Budget Section
Department of Health and Family Services
(608) 267-0356



DOA:.....Mullikin - Community services deficit reduction benefit
FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

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8 for case management services under s. 49.46 (2) (b) 12. and for mental health day
9 treatment services for minors provided under the authorization under 42 USC 1396d
10 (r) (5), the department shall allocate up to ~~\$4,500,000~~ moneys in each fiscal year to
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1 services under s. 49.46 (2) (b) 12. and for mental health day treatment services for
2 minors provided under the authorization under 42 USC 1396d (r) (5).

3 **SECTION 5.** 49.45 (46) (b) of the statutes is amended to read:

4 49.45 (46) (b) This subsection does not apply after ~~July 1~~ June 30, 2003.

5 **SECTION 6.** 49.46 (2) (b) 18. of the statutes is amended to read:

6 49.46 (2) (b) 18. Alcohol or other drug abuse residential treatment services of
7 no more than 45 days per treatment episode, under s. 49.45 (46). This subdivision
8 does not apply after ~~July 1~~ June 30, 2003.

9 **SECTION 9423. Effective dates; health and family services.** ✓

10 (1) COMMUNITY SERVICES DEFICIT REDUCTION. The repeal and recreation of section
11 49.45 (6t) (intro.) and (a) of the statutes takes effect on July 1, 2003.

12 (END)



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-0194/2

DAK:wlj:km

DOA:.....Mullikin – Community services deficit reduction benefit

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

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16 **DEFICIT REDUCTION.** (intro.) From the appropriation under s. 20.435 (4) (o), for
17 reduction of operating deficits, as defined under criteria developed by the

1 department, incurred by a county department under s. 46.215, 46.22, 46.23, or 51.42
2 or by a local health department, as defined in s. 250.01 (4), for services provided
3 under s. 49.46 (2) (a) 4. d. and (b) 6. f., fm., j., k., L., and Lm., 9., and 15., for case
4 management services under s. 49.46 (2) (b) 12. and for mental health day treatment
5 services for minors provided under the authorization under 42 USC 1396d (r) (5), the
6 department shall allocate moneys in each fiscal year to these county departments,
7 or local health departments as determined by the department, and shall perform all
8 of the following:

9 **SECTION 3.** 49.45 (6t) (a) of the statutes is amended to read:

10 49.45 (6t) (a) For the reduction of operating deficits incurred by the county
11 departments or local health departments, estimate the availability of federal
12 medicaid funds that may be matched to county, city, town, or village funds that are
13 expended for costs in excess of reimbursement for services provided under s. 49.46
14 (2) (a) 4. d. and (b) 6. f., ~~fm., j., k. and, L., and Lm., 9. and, 15., and 18.,~~ for case
15 management services under s. 49.46 (2) (b) 12. and for mental health day treatment
16 services for ~~minor~~ minors provided under the authorization under 42 USC 1396d (r)
17 (5).

18 **SECTION 4.** 49.45 (6t) (a) of the statutes, as affected by 2001 Wisconsin Act
19 (this act), is repealed and recreated to read:

20 49.45 (6t) (a) For the reduction of operating deficits incurred by the county
21 departments or local health departments, estimate the availability of federal
22 medicaid funds that may be matched to county, city, town, or village funds that are
23 expended for costs in excess of reimbursement for services provided under s. 49.46
24 (2) (a) 4. d. and (b) 6. f., fm., j., k., L., and Lm., 9., and 15., for case management

1 services under s. 49.46 (2) (b) 12. and for mental health day treatment services for
2 minors provided under the authorization under 42 USC 1396d (r) (5).

3 **SECTION 5.** 49.45 (46) (b) of the statutes is amended to read:

4 49.45 (46) (b) This subsection does not apply after ~~July 1~~ June 30, 2003.

5 **SECTION 6.** 49.46 (2) (b) 18. of the statutes is amended to read:

6 49.46 (2) (b) 18. Alcohol or other drug abuse residential treatment services of
7 no more than 45 days per treatment episode, under s. 49.45 (46). This subdivision
8 does not apply after ~~July 1~~ June 30, 2003.

9 **SECTION 9423. Effective dates; health and family services.**

10 (1) COMMUNITY SERVICES DEFICIT REDUCTION. The repeal and recreation of section
11 49.45 (6t) (intro.) and (a) of the statutes takes effect on July 1, 2003.

12 (END)